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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-09-00113 CW
)	
12 Plaintiff,)	STIPULATION TO CONTINUE;
)	PROPOSED ORDERING CONTINUING
13 vs.)	CASE AND EXCLUDING TIME UNDER
)	THE SPEEDY TRIAL ACT
14 DEBORAH HOLMES,)	
)	
15 Defendant.)	
_____)	
16		

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the TRIAL
18 OR MOTIONS SETTING OR DISPOSITION HEARING date of September 16, 2009 presently
19 scheduled at 2:30 p.m., before the Honorable Claudia Wilken, be vacated and re-set for October
20 21, 2009 at 2:30 p.m. for TRIAL OR MOTIONS SETTING OR DISPOSITION HEARING.

21 The reason for this request is that defense counsel is presently investigating the case by
22 gathering records and interviewing witnesses; discussing the case with government counsel; and
23 researching possible motions. The defense and government counsel are presently sharing
24 information but government counsel is engaged in trial preparation and will commence trial on
25 September 28, 2009.

26 The parties agree and stipulate that the time until October 21, 2009 should be excluded,

1 under18 U.S.C. §3161(H)(7)(A) because the ends of justice served by the granting of the
2 continuance outweigh the best interests of the public and the defendant in a speedy and public
3 trial. The continuance is necessary to accommodate new counsel's preparation efforts.

4 Date 09/15/09 /s/
5 John Paul Reichmuth
6 Assistant Federal Public Defender
7 Counsel for defendant HOLMES

8 Date 09/15/09 /s/
9 Joshua Hill
10 Assistant United States Attorney

11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.


/S/ John Paul Reichmuth
Counsel for Defendant Holmes

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to October 21, 2009 at 2:30 p.m., and that time is excluded from September 16, 2009 until October 21, 2009 pursuant to 18 U.S.C. §§3161(h)(7)(A).

IT IS SO ORDERED.

September 16, 2009
Date


HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE